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Attorneys for Plaintiff
ORACLE AMERICA, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ORACLE AMERICA, INC.
Plaintiff,
v.
GOOGLE INC.
Defendant.

Case No. CV 10-03561 WHA
**[PROPOSED] ORDER GRANTING
ORACLE'S MOTION FOR
RECONSIDERATION OF THE
COURT'S ORDER RE LOST
PROFITS, ECF NO. 1798**

Dept.: Courtroom 8, 19th Floor
Judge: Honorable William Alsup

[PROPOSED] ORDER GRANTING ORACLE'S
MOTION FOR RECONSIDERATION OF THE
COURT'S LOST PROFITS ORDER

1 This Court has read and considered Plaintiff Oracle America, Inc.'s Motion for
2 Reconsideration of the Court's Order Limiting Mr. Malackowski's Lost Profits Opinion, ECF No.
3 1798, and any Opposition thereto and Reply in support thereof, and any and all additional
4 supporting papers.

5 Based thereon [and on statements made by counsel at the hearing on the Motion], IT IS
6 HEREBY ORDERED THAT Oracle's Motion is GRANTED.

7 Mr. Malackowski's lost profits opinions, as contained in his expert reports in this case,
8 may be offered to the jury. Specifically, Mr. Malackowski may offer his \$475 million Java ME
9 lost licensing revenue number.

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11 IT IS SO ORDERED.

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THE HONORABLE WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE